

**AMENDMENTS TO THE CLAIMS**

1. (Original) An information recording/playback apparatus that records/replays data on/from a recording medium, the apparatus comprising:

determination means for determining before data recording/playback is started whether the data correspond to data to be recorded/replayed in real time or data to be recorded/replayed with accuracy; and

control means for deciding a process to be executed upon error occurrence during the data recording/playback based on a determination result obtained by the determination means.

2. (Original) The information recording/playback apparatus as claimed in claim 1, wherein

the determination means determines before the data recording/playback is started that the data correspond to data to be recorded/replayed in real time when predetermined information for the data are detected, and determines that the data correspond to data to be recorded/replayed with accuracy when the predetermined information is not detected.

3. (Original) The information recording/playback apparatus as claimed in claim 1 or 2, wherein

the data to be recorded/replayed in real time are video data.

4. (Original) The information recording/playback apparatus as claimed in claim 3, wherein

the video data are data compressed according to a moving image compression standard.

5. (Original) The information recording/playback apparatus as claimed in claim 2 or 4, wherein

the predetermined information is a sequence header.

6. (Original) The information recording/playback apparatus as claimed in claim 1 or 2, wherein

the control means decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of performing the retry operation a number of times which number is less than the predetermined number upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.

7. (Original) The information recording/playback apparatus as claimed in claim 1 or 2, wherein

the control means decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of not performing the retry operation and proceeding with the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.

8. (Original) The information recording/playback apparatus as claimed in claim 1 or 2, wherein

the control means decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of ignoring an error upon error occurrence during the data recording/playback and proceeding with the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.

9. (Original) The information recording/playback apparatus as claimed in claim 1 or 2, wherein

the control means decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of skipping the error generated area upon error occurrence during the data recording/playback and proceeding with the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.

10. (Original) An information recording/playback method for recording/replaying data on/from a recording medium, the method comprising:

a determination step performed before data recording/playback is started for determining whether the data correspond to data to be recorded/replayed in real time or data to be recorded/replayed with accuracy; and

a control step for deciding a process to be executed upon error occurrence during the data recording/playback based on a determination result obtained in the determination step.

11. (Original) The information recording/playback method as claimed in claim 10, wherein

the determination step determines before the data recording/playback is started that the data correspond to data to be recorded/replayed in real time when predetermined information for the data are detected, and determines that the data correspond to data to be recorded/replayed with accuracy when the predetermined information is not detected.

12. (Original) The information recording/playback method as claimed in claim 10 or 11, wherein

the data to be recorded/replayed in real time are video data.

13. (Currently Amended) The information recording/playback method ~~apparatus~~ as claimed in claim 12, wherein

the video data are data compressed according to a moving image compression standard.

14. (Currently Amended) The information recording/playback method ~~apparatus~~ as claimed in claim 11 or 13, wherein

the predetermined information is a sequence header.

15. (Currently Amended) The information recording/playback method ~~apparatus~~ as claimed in claim 10 or 11, wherein

the control step decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of performing the retry operation a number of times which number is less than the predetermined number upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.

16. (Currently Amended) The information recording/playback method ~~apparatus~~ as claimed in claim 10 or 11, wherein

the control step decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of not performing the retry operation and proceeding with the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.

17. (Currently Amended) The information recording/playback method ~~apparatus~~ as claimed in claim 10 or 11, wherein

the control step decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of ignoring an error upon error occurrence during the data recording/playback and proceeding with the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.

18. (Currently Amended) The information recording/playback method ~~apparatus~~ as claimed in claim 10 or 11, wherein

the control means decides to execute a process of performing a retry operation a predetermined number of times for retrying recording/playback on an error generated area upon error occurrence during the data recording/playback when it is determined that the data correspond to data to be recorded/replayed with accuracy, and decides to execute a process of skipping the error generated area upon error occurrence during the data recording/playback and proceeding with the data recording/playback when it is determined that the data correspond to data to be recorded/replayed in real time.